

REMARKS

Pending Claims

Claims 19-34 are pending in this application. Claims 19, 27, 28 and 29 have been amended. No new matter has been added.

Claim Rejections under 35 U.S.C. §102 and §103

Claims 19, 21-25 and 27-33 have been rejected under 35 U.S.C. §102(e) as being anticipated by Dettinger et al., U.S. Publication No. 2003/0093413. Claim 20 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Dettinger in view of Pudipeddi et al., U.S. Publication No. 2002/0147881; and claims 26 and 34 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Dettinger in view of Jones et al., U.S. Publication No. 2002/0169794. Applicants request reconsideration of the rejections for the following reasons.

The claims have been amended to set forth that the access history information collected from the plurality of information resource management devices indicates the source of an access request. Further, the amended claims include that the access history management device makes a determination on the basis of the source of an access request in the access history information, if data is requested from one of the information resource management devices other than an information access management device which is coupled to one of the storage devices storing the requested data, or if data is requested a predetermined number of times from an information resource management device other than

an information access management device that is coupled to a storage device storing the requested data. Then, based on the determination, the access history management device sends to the information access management device (other than an information access management device which is coupled to one of the storage devices storing the requested data) an instruction to copy the requested data based on the determination.

The application as filed provides support for the amendments to the claims made by the present amendment. The amended claims set forth that the access history information that is collected from the plurality of information resource management devices indicates the source of an access request. Fig. 4 shows an example of a table of access history information 107 according to the present invention. The access history 107 includes an ID, request date, request time, file ID, user ID, and accessor. The accessor is determined in accordance with the access requests 150 and 160 that are shown in Fig. 3. Fig. 3 illustrates an access process of a client accessing a file stored in a storage node. As discussed with respect to Fig. 3, the accessor identifies the source of the access request.

Fig. 6 illustrates the file migration/replication process which begins with the step of a control node (CN1) referring to the access history (step S30), and determining whether or not there are recorded a predetermined frequency or more of accesses from any user to a same file (step S31). If so, then the control node (CN1) determines whether or not the file having undergone such accesses was accessed by another device (step S32). If the file was accessed by another device, the file is set to be subject to the replication process (step S33) since the file must be retained in the storage node SN1. If the file was not accessed by another device,

such file is set to be subject to the migration process (step S34). Then, the control node CN1 performs the replication/migration on the files that are subject to the replication or migration process (step S36).

Applicants disagree with the assertion in the Office Action on page 3, paragraph, 2, setting forth the interpretation of Dettinger that is used in support of the rejections. Mainly, Dettinger merely describes implementation of replication of data when predefined replication thresholds are met. One of the predefined thresholds may be frequency of requests.

However, there is no disclosure in the reference of the features claimed by Applicants.

In particular, the reference does not disclose determining, on the basis of the source of an access request in the access history information, if data is requested from one of the information resource management devices other than an information access management device which is coupled to one of the storage devices storing the requested data, or if data is requested a predetermined number of times from an information resource management device other than an information access management device that is coupled to a storage device storing the requested data, as claimed by Applicants. Accordingly, independent claims 19, 27, 28 and 29 are patentable over Dettinger and the rejection of these claims should be withdrawn.

In claim 20, if the client computer coupled to the information resource management device does not access the data to be copied therefrom, the claimed invention sets forth that the data is migrated without retaining the data in the storage device that originally stores the data. On the other hand, in Dettinger the server 102 always stores the frequency, of access to

the data base and respective data in the database. Pudipeddi's configuration controls a migration process according to a paradigm that is designed to migrate data that has not been used for six months, to another medium. See paragraph (0007) of the reference.

Accordingly, the combination of Dettinger and Pudipeddi does not render claim 20 unpatentable under 35 U.S.C. §103(a).

Jones has been applied in the rejection of claims 26 and 34, however, the claims are patentable at least for being dependent from base claims that are asserted to be patentable for the foregoing reasons.

RCE

Applicants submit herewith a Request for Continuing Examination (RCE) in order to ensure entry of the Amendment, which is being filed in response to a final Office Action.

Appl. No. 10/785,995
Amendment under 37 C.F.R. §1.116 dated November 17, 2006
Response to Final Office Action mailed August 18, 2006

Docket No. MEI-102

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Colin D. Barnitz
Reg No 35061

for: John R. Mattingly
Registration No. 30,293

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
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